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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/191,708	11/13/1998	BRIJ BHUSHAN GARG	L0012/7004	8933
26291	7590	03/22/2005	EXAMINER	
MOSER, PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			LY, ANH VU H	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s) 	
	09/191,708	GARG ET AL.	
	Examiner	Art Unit	
	Anh-Vu H Ly	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is in response to applicant's amendment filed November 10, 2004.
The proposed amendment to the claims has been entered. Claims 1-22 are pending.

Claim Objections

2. Claim 8 is objected to because of the following informalities:

With respect to claim 8, in lines 2-3, "the first output bit map" lacks antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindberg (US Patent No. 6,366,579 B1).

With respect to claims 1, 5, 6, 11, 16, and 20, Lindberg discloses in Fig. 2, a modular switch structure based on time and space (TS) modules for switching data (an apparatus for switching data from any of a plurality of inputs to any of a plurality of outputs). As illustrated in Fig. 2, a matrix 21 of TS switch units or switch modules (herein, TS switch modules are organized as space and time slots), XMB0-0 to XMB7-7, for storing input data (at least one apparatus for receiving a plurality of input bit packs organized in a combination of input data rails and time slots). Herein, input data (col. 8, lines 32-33) are organized as word-oriented data (bit packs). Further, as shown in Fig. 3, each XMB contains a number of SS for storing input data. Herein, each XMB contains a number of rows (rails) and columns (time slots) (storing received bit packets in matrix form including a storage position for each rail and time slot combination). Lindberg discloses (col. 4, lines 8-11) that a time-space switch is a switching unit in which all inputs are able to write to a number of speech stores such that the written data is accessible from all outputs. Further, as illustrated in Fig. 3, the control store CS 35 is connected to the selector 34 and holds control information which controls the selector 34. The controllable selector 34 selects data from one of the output terminals OUT at the predetermined output terminal position as selector output data, in response to the control information held in the control store CS 35 (at least one apparatus for selecting any of the input bit packs from any of the rails in any of the time slots of the matrix and at least one apparatus for conveying the selected bit pack to any output data position within a combination of output data rails and time slots).

With respect to claim 2, Lindberg discloses (col. 8, lines 33-34) that it is possible to use bit-oriented TS-switch modules (wherein each bit pack is one bit wide).

With respect to claims 3-4, 17-19, and 21-22, Lindberg discloses in Fig. 3, that the input word-oriented data can be selected for outputs according to the control information (wherein a plurality of input bit packs or a single bit pack are selected for output in a plurality of output data positions).

With respect to claims 7 and 12, Lindberg discloses in Fig. 2, a matrix comprising a plurality of SS for storing input data and for selecting output data (a T2 X R2 output bit map configured for receiving a selected bit pack in each location from a different one of the M selection blocks).

With respect to claims 8 and 13, Lindberg discloses in Fig. 2, a matrix comprising a plurality of SS for storing input data and for selecting output data. Herein, the current output word-oriented data is replaced with a new output word-oriented data as data being selected by the CS (a second T2 X R2 output bit map configured to be loaded in parallel from the first output bit map).

With respect to claims 9 and 14, Lindberg discloses in Fig. 3, that the input word-oriented data are selected for outputs as a function of space and time slots (apparatus configured to arrange input bit packs as an array of T time slots on R rails and to convey output bit packs from the second T2 X R2 bit map on R2 rails in T2 time slots).

With respect to claims 10 and 15, Lindberg discloses (col. 9, lines 32-33 and col. 10, lines 22-23) that the highway horizontal interface and highway vertical interface have a total data rate of 786 Mb/s (N=M=786).

Response to Arguments

4. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl


CHI PHAM
SUPERVISORY PATENT EXAMINER
ELECTRONIC BUSINESS CENTER 2600 3/16/05